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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,741	11/20/2003	Christoph Bittner	CQ10110	1790
23373	7590	09/22/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			WILLIAMS, DON J	
			ART UNIT	PAPER NUMBER
			2878	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/718,741

Applicant(s)

BITTNER, CHRISTOPH

Examiner

Don Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-12, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Umemoto et al (5,013,916).

As to claims 1 and 12, Umemoto et al disclose an image apparatus comprising a record medium support (50) on which a record medium (2) is mounted in use; a radiation beam generator (23) for generating a radiation beam (21) modulated with an imaging data which is directed towards the support (50); a system (24) for causing relative scanning movement between the beam (21) and the support (50); and a detection system (22) for detecting radiation emitted from the support (50) or the record medium (2) in response to incident radiation (21) from the radiation beam generator (23), the emitted radiation having a different wavelength from the incident radiation ($\lambda=780\text{nm}$), so as to monitor for a change in intensity of the detected radiation indicative of the passage of the record medium edge (2), (see fig. 1, column 9, lines 1-65, fig. 3, column 12, lines 1-7).

As to claim 4, Umemoto et al disclose that the record medium is a stimuable phosphor sheet. It is known that when stimuable phosphor is exposed that it fluoresces, (see column 8, lines 45-50).

As to claim 5, Umemoto et al disclose an optical system (106) for guiding the image radiation to the support (101) or (102), the optical system (106) also being adapted to guide the emitted radiation to the detection system (109), (see fig. 3, column 12, lines 16-55, column 13, lines 1-67).

As to claim 6, Umemoto et al disclose the optical system (206) includes a wavelength splitter (208) for diverting the emitted radiation to the detection system (209), (see fig. 4, column 16, lines 1-65).

As to claims 7 and 15, Umemoto et al disclose that recording material can take the form of sheets, panels, drums, or endless belts. It is inherent that if the recording material is of a specific type the support would correspond accordingly, (see column 1, lines 52-55).

As to claims 8, 9, 14, and 16, Umemoto et al disclose where the support can be fluorescent or non-fluorescent, (see column 15, lines 40-67, column 16, line 40).

As to claim 10, Umemoto et al disclose a record medium (201) on a support (201), (see fig. 4, column 15, lines 54-59, column 12, lines 7-15).

As to claim 11, Umemoto et al disclose the record medium (2) exhibits higher intensity fluorescence than the support (50) when exposed to radiation from the radiation beam generator (23), (see fig. 1, column 8, lines 45-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umemoto et al and in view of Misawa et al (4,881,086).

As to claim 2, Umemto et al fail to disclose an edge detection mode and an imaging mode. Misawa et al disclose major modes of operation of the laser beam. It would have been obvious for one ordinary skill in the art to modify Umemto et al to include major modes of the operation of the laser beam as disclosed by Misawa et al to activate the laser beam generator (10) to emit a beam of light with a radiation power output for the purpose of detecting the leading edge of a light sensitive sheet medium, reducing the radiation power, and minimizing the risk of causing the fogging on the sheet medium, (see fig. 4b, column 9, lines 1-67).

As to claim 3, Umemto et al fail to disclose switching of the edge detection and imaging modes. Misawa et al teach switching of the edge detection and imaging modes. It would have been obvious for one ordinary skill in the art to modify Umemto et al to include switching of the edge detection and imaging modes driven by the radiation beam generator as disclosed by Misawa et al to emit a beam of light carrying

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information with reduced radiation power output to improve the image data signals for the recording of the first line of images, (see fig. 4b, column 10, lines 65-68, column 17, lines 15-26).

As to claim 13, Umemoto et al disclose the record medium (2), (see fig. 1, column 8, lines 11-20). Umemoto et al fail to disclose modulating the radiation beam. Misawa et al teach modulating the laser beam (L). It would have been obvious for one ordinary skill in the art to modify Umemoto et al to include modulating the radiation beam (L) as disclosed by Misawa to improve the optical response in order to enhance the images formed on the surface of the light sensitive sheet medium (S), (see fig. 1, column 5, lines 20-65, column 53-67).

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umemoto et al, (5,013,916).

As to claim 17, Umemoto et al disclose a support (201). Umemoto et al fail to disclose the support is less fluorescent. It would have been obvious for one ordinary skill in the art to include a less fluorescent support to reduce the emitted wavelength of the support (201) in order to increase the light intensity emitted from the recording material (202) to improve the detected image signal, (see fig. 3, column 16, lines 40).

As to claim 18, Umemoto et al disclose a support (201). Umemoto et al fail to disclose the support is more fluorescent. It would have been obvious for one ordinary skill in the art to include a more fluorescent support to increase the emitted wavelength

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of the support (201) in order to reduce the light intensity emitted from the recording material (202), (see fig. 3, column 16, lines 40).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Don Williams whose telephone number is 571-272-8538. The examiner can normally be reached on 8:30a.m. to 5:30a.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner
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